



PERMITTING AND DEVELOPMENT REVIEW DIVISION
FREDERICK COUNTY, MARYLAND
Department of Permits and Inspections

30 North Market Street • Frederick, Maryland 21701
Phone (301) 600-2313 • Fax (301) 600-2309

Land Use Permit Application Information

Please note that a land use that is for an extended period of time will require a Building Permit application form for a Non-Residential Tenant Occupancy instead of a Land Use Permit application form, even if the use is temporary in nature. Contact the Permits Office if the proposed use/event that you are applying for is for a period of time exceeding three days.

Submittal Requirements

- ☐ 1. Notarized letter of permission from the property owner if land user is not the property owner.
 - ☐ 2. Completed Land Use Permit Application (Attachment A).
 - ☐ 3. Print out from Maryland Assessments Real Property Data www.dat.state.md.us for property.
 - ☐ 4. Eleven copies of a plot plan or site plan showing the entire property, well and septic locations (if the property has well or septic), the road that the access to the land use is off of with the road name labeled, dimensions of any structures for the land use, such as a tent, canopy, or container; any existing and/or proposed structures, and distances from the structure used for the land use to the property lines or nearest structure in all four directions, parking area, food service area, portable sanitary facilities area. If plot plan or site plan is ledger size paper or smaller, only two copies are required.
 - ☐ 5. Three (3) copies of drawings or specifications. Please contact Plan Review @ 301-600-3353 or 301-600-1083 to obtain requirements prior to application for your specific land use.
 - ☐ 6. When property is within an incorporated town, paperwork from the town is required before a permit application may be submitted. Contact the town for details.
 - ☐ 7. One copy of the service agreement or contract with the portable sanitary facility company if portable facilities will be utilized instead of facilities within a building. This is a requirement of the Environmental Health Department – for additional information contact 301-600-1726.
 - ☐ 8. Payment of fees. Check or cash is accepted. All fees must be paid at time of application.
- \$ 52.00 Zoning Review fee
\$ 55.00 Minimum Bldg fee
\$ 114.00 Minimum Life Safety fee
\$ 50.00 Health Review fee
\$ 10.00 Automation Enhancement fee
\$ 281.00 Total for Land Use Permit

Incorporated Towns: Same fees as above, except no Zoning Review fee; also no Health Review fee unless indicated by the Town.

STEP ONE – APPLY FOR PERMIT

Where to apply: Applications must be made in person. Applications are accepted in the Department of Permits and Inspections, at 30 North Market Street, Frederick.

When Applications Are Accepted: Applications are accepted Monday through Friday, (excluding County holidays) between 8:00am and 3:30pm. To ensure adequate time to complete your submittal, please apply prior to 3:00 pm.

STEP TWO – OBTAIN REVIEW APPROVALS

During processing, the permit application will be reviewed by various agencies for their approval. It is important that you address any concerns or requests for additional information promptly.

Plan Review Timeframes: Review timeframe by Plan Review and the Office of Life Safety is two weeks for their initial review comments for this application type.

Agency Review Status: Review timeframes for agencies outside of the Division of Permitting and Development Review may vary. If additional information is requested by any reviewing agency during processing, a notification is mailed to the applicant. To check status of your Land Use application, please call the Permits Office at 301-600-2313. Permit status inquiry for Land Use applications is not viewable on the web the same as a Building Permit application.

Permit Issuance: When all reviews have been approved, the issued permit will be mailed out to the applicant usually within 24 hours of issuance. The issued permit may be held for applicant pick-up if requested.

STEP THREE – OBTAIN INSPECTION APPROVALS

Inspections: Land Use Permits are issued for a variety of situations. Because of this, it is advised that you call the Building Inspector and Office of Life Safety directly so they can determine the inspections that will be required for your particular Land Use. Inspections are needed even though you are not *building* a structure. The issued permit packet will contain valuable information regarding inspection procedures, as well as phone numbers and one set of the reviewed construction plans (if applicable) to be kept onsite. Please read all information included in the packet when you receive it, so your inspection process goes as smoothly as possible.

FREDERICK COUNTY DIVISION OF PERMITTING AND DEVELOPMENT REVIEW
DEPARTMENT OF PERMITS AND INSPECTIONS
30 NORTH MARKET STREET
FREDERICK, MARYLAND 21701
301-600-2313 INFORMATION



ATTACHMENT (A) - Land Use

A/P #
Process
Date:
Application Reviewed By (initials):

Application for LAND USE PERMIT

SECTION I: CONTACT INFORMATION

Proposed Occupant/User of Land

Name (trading as):		
Current mailing address for above:		
Town:	State:	Zip:
Daytime Telephone Number:		

Permit Service

Name of Permit Service when applicable:		
Street (mailing address) :		
Town:	State:	Zip:
Contact Person for Permit Service (Applicant/Contact): Phone #		

Contractor

Company name (only complete this section if Contractor is applying):		
Current street (mailing) address for Contractor:		
Town:	State:	Zip:
Contact Person for Contractor:		
Contractor Telephone Number:		
Contractor Fax Number:		
Contractor e-mail Address:		

SECTION II: PROPERTY INFORMATION

Current Property Owner(s):	
Eight Digit Property Tax ID (account) #:	
Acreage or Square Footage of Property:	
Type of Water and Sewer Serving the Property:	
<u>Water Type</u> :	<u>Sewer Type</u> :
Well <input type="checkbox"/>	Septic <input type="checkbox"/>
Community <input type="checkbox"/>	Community <input type="checkbox"/>

Property Address of Jobsite:	
Town:	State: Zip:
Subdivision Name:	Lot #
Is Property Within an Incorporated Town?	
Yes* <input type="checkbox"/>	<input type="checkbox"/>
No <input type="checkbox"/>	<input type="checkbox"/>
*Town paperwork must be submitted with application.	

Is there a roadside tree that will be disturbed or removed due to the proposed construction?(A roadside tree is defined as a plant that has a woody stem or trunk that grows all, or in part, within the right-of-way of a public road.)

Yes ☐ No ☐

Is the Property used currently for Residential or Non-Residential use? _____

Is this a TEMPORARY USE (LESS THAN SIX MONTHS) or a PERMANENT USE? _____

Number of persons estimated to attend if this is an event: _____

Use of Land:

Bazaar ☐
 Carnival ☐
 Circus ☐
 Corn Maze ☐
 Craft Fairs ☐
 Festival ☐
 Fireworks ☐
 Public Gathering ☐
 Junkyard ☐
 Landfill ☐
 Music Festival ☐
 Park/Recreation ☐
 Pow Wow ☐
 Pumpkin Patch ☐
 Rodeo ☐
 Tent Revivals ☐
 Wine Tasting ☐

Type of Entertainment:

Live Animals ☐
 Dunking Booth ☐
 Foot/Sack Races ☐
 Games ☐
 Gaming ☐
 Live Music/Band ☐
 Raffle ☐
 Tip Jar ☐

Junkyard ☐
 Landfill ☐
 Acreage for
 Junkyard or Landfill

____ acres
 Describe junkyard
 or landfill use on a
 separate sheet.

Will there be a tent used? ☐ YES ☐ NO
 Will there be a canopy used? ☐ YES ☐ NO
 Will there be a container used? ☐ YES ☐ NO

List size(s) of each tent/canopy/container:

X sq. ft. : _____
 X sq. ft. : _____
 X sq. ft. : _____

Type of Sanitary Facilities to be provided:

Use restrooms in existing Building ☐

Non Applicable ☐

Portable (port-a-john/sani-pot) ☐

If portable, you must supply copy of agreement with the
 port-a-john company.

Will there be:

Food Service? ☐ Yes ☐ No

Alcohol? ☐ Yes ☐ No

Is this event ☐ Private ☐ Public

Setbacks (distances from tent/container or other structure
 used for event to the property lines or nearest structure):

FRONT feet
 REAR feet
 RIGHT feet
 LEFT feet

Beginning Date of Event: ____/____/____

End Date of Event: ____/____/____

Any additional information that will aid in the processing of your application:

IMPORTANT - PLEASE READ CAREFULLY

The Applicant hereby certifies and agrees as follows: 1) That he/she is authorized to make this application, 2) that the information is correct, 3) that he/she will comply with all regulations of Frederick County which are applicable hereto, 4) that he/she will perform no work on the referenced property not specifically described in the application: 5) that he/she knows that this permit does not include electrical or plumbing work: electrical and plumbing work require a separate permit. Any change without approval of the agencies concerned shall constitute sufficient grounds for the disapproval of a permit. The appropriate revision fee shall be charged.

Permit Application Extension :

The permit application is valid for 6 months. The fee to extend an application is the minimum fee. The request must be made in writing prior to the expiration date, with justification. An extension may not exceed 90 days.

Properties Served by County Water and Sewer :

It is the applicant's responsibility to identify and disclose any water and/or sewer utilities or easements, in, on, or near the proposed improvements. Approval of this permit by DUSWM shall not, on behalf of the BOCC, be construed as a modification or amendment of any water or sewer easement nor constitute permission to encroach thereon. Should an encroachment be found in the future, the cost to remedy said encroachment shall be borne by the property owner.

Building Permits and Zoning Certificates Applications for same are non-transferable and non-assignable.

Signature of APPLICANT _____

Please print name _____

Connection with application: _____



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

effective Oct. 1
Roadside Tree Law - Changes to Permit

Passed in 1914, the Roadside Tree Law and its regulations were developed to protect Maryland's roadside trees by ensuring their proper care and protection and to ensure their compatibility with the public utility system.

Before a roadside tree* is trimmed or cared for in any way including removed, a **Tree Care Permit must be obtained from the Maryland DNR Forest Service**. A roadside tree is any tree that grows all or in part within a public road right-of-way**. A permit is also needed to plant a tree within the public road right-of-way. Any work (including removals) performed on a roadside tree, 20 feet or greater in height, must be done by a licensed tree expert. If tree care or removal is performed on a roadside tree without a permit, a fine or more severe actions may be assessed by the Maryland DNR Forest Service.

During the 2009 Legislative Session, the Roadside Tree Law (NRA §5-401—5-406, Annotated Code of Maryland) was amended to state: "A county or municipality may not issue a building permit to an applicant for any clearing, construction, or development that will result in the trimming, cutting, removal, or injury of a roadside tree **until the applicant first obtains a permit from the Department** in accordance with this section." [NRA 5-406(D)] *emphasis added*

* a roadside tree is defined as a plant that has a woody stem or trunk that grows all, or in part, within the right-of-way of a public road. [COMAR 08.07.02.02.B.(10)]

** right-of-way of a public road is defined as that land the title to which, or an easement for which, is held by the State, county, or a municipality for use as a public road. [COMAR 08.07.02.02.B.(8)] Right-of-ways of a public road that has not been surfaced with either stone, shell, concrete, brick, asphalt, or other improved surface material is exempt. [COMAR 08.07.02.03A.(2)]

To determine if a permit has been issued:

A website query is currently being developed which will allow the public to query an address or the city to determine if a permit has been issued. This will be located on the MD Forest Service website. The query can only indicate if a permit has been issued. *A negative response from the Roadside Tree Permit Query may indicate that either a roadside tree permit was not requested at this address or that there are no roadside trees at this address (and no permit is required).* Please remember that all applicants receive a paper permit and can submit these as requested.

If the applicant needs a roadside tree permit, a permit can be obtained at:

To obtain a permit: <http://www.dnr.state.md.us/download/060905rtp.doc>

Mail the completed form to: http://www.dnr.state.md.us/forests/art/county_map.asp

To learn more about Roadside Tree Law: <http://www.dnr.state.md.us/forests/programapps/newrtlaw.asp>

For further information, please contact:

Eastern Region:	Central Region:	Southern Region:	Western Region:
(Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties)	(Baltimore, Carroll, Cecil, Harford, Howard, and Montgomery Counties)	(Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's Counties)	(Allegany, Frederick, Garrett, and Washington Counties)
Kathy Kronner MD Forest Service (410)-543-1950 kkronner@dnr.state.md.us	Tod Ericson MD Forest Service (410) 836-4578 tericson@dnr.state.md.us	Horace Henry MD Forest Service (410) 360-9774 hhenry@dnr.state.md.us	Becky Wilson MD Forest Service (301) 777-5591 bwilson@dnr.state.md.us

Marian Honeczy, Supervisor Urban & Community Forestry, (410) 260-8511 or via email at mhoneczy@dnr.state.md.us

Tawes State Office Building • 580 Taylor Avenue • Annapolis, Maryland 21401

410.260.8DNR or toll free in Maryland 877.620.8DNR • www.dnr.maryland.gov • TTY users call via Maryland Relay

Roadside Tree Permit – Typical Situations 9/17/09

